



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 09 2012

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL #7001 0320 0006 0177 2923
RETURN RECEIPT REQUESTED

Mr. Brian Stepaniak
Safety and Quality Control Coordinator
Bell Lumber and Pole Company
778 1st Street NW
New Brighton, Minnesota 55112

Re: Notice of Violation
Bell Lumber and Pole Company
EPA ID No.: MND 006 206 403

Dear Mr. Stepaniak:

On November 2, 2010, a representative of the U.S. Environmental Protection Agency inspected Bell Lumber and Pole Company's (BLP's) facility, located at 778 1st Street NW in New Brighton, Minnesota (the Facility). The purpose of the inspection was to evaluate BLP's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. I have enclosed a copy of the inspection report for your reference.

Based on information provided by BLP, a review of records and the inspector's personal observations while inspecting the Facility, EPA finds that BLP is engaged in the storage of hazardous waste without a hazardous waste permit, and is in violation of certain requirements of the authorized Minnesota Rules (Minn. R.) and U.S. Code of Federal Regulations (C.F.R.). This letter cites the Minnesota Rules authorized at time of the inspection. To be eligible for the exemption from the requirement to obtain a hazardous waste storage permit, BLP must be in compliance with the conditions of Minn. R. Part 7045.0292, Subparts 1 and 8 [40 C.F.R. § 262.34(a) and (c)]. We find that BLP was not in compliance with the following conditions for a hazardous waste storage permit exemption, and in violation of the following requirements:

1. Any person who produces a waste within the state of Minnesota must evaluate the waste to determine if it is hazardous. See, Minn. R. 7045.0214, Subp. 1 [40 C.F.R. § 262.11]. A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Minn. R. 7045.0214 to 7045.0217 for at least

three years from the date that the waste was last sent to an on-site or off-site treatment, storage or disposal facility. See, Minn. R. part 7045.0294, subp. 3 [40 C.F.R. § 262.40(c)]. Minn. R. part 7045.0294 subp. 5 requires that the records referred to in subp. 3 be located at the licensed site and easily available for agency inspection.

At the time of the November 2, 2010 inspection, BLP was unable to produce any records that documented the hazardous waste evaluation for any of its waste streams. BLP, therefore, violated the above-mentioned hazardous waste generator recordkeeping requirement.

2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0558, 7045.0562 subps. 1 and 2; 7045.0566 to 7045.0576; and 40 C.F.R. § 268.7(a)(5) regarding personnel training, ignitable, reactive or incompatible waste, preparedness and prevention, and contingency planning. See, Minn. R. 7045.0292 subp. 1, item I [40 C.F.R. § 262.34(a)(4)]. Under Minn. R. part 7045.0558, hazardous waste facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with Minn. R. Ch. 7045. (See Minn. R. part 7045.0558.) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. The training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including, where applicable: (i) procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; (ii) key parameters for automatic waste feed cutoff systems; (iii) communications or alarm systems; (iv) procedures for response to fire or explosions; (v) procedures for response to ground water contamination incidents; and (vi) procedures for shutdown of operations. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 3 [40 C.F.R. § 264.16(a)(3)].

Minn. R. part 7045.0558 subp. 6 requires the following documents and records to be maintained at the facility: A. the job title for each position at the facility related to hazardous waste management and the name of the employee filling each job; B. a written job description for each position at the facility related to hazardous waste; C. a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position described in item A; and D records that document that the training or job experience required under Subparts 1 to 5 of Minn. R. 7045.0558 has been given to, and completed by, facility personnel. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 6 [40 C.F.R. § 264.16(d)].

At the time of the November 2, 2010 inspection, BLP had not maintained a written job description for each position at the facility related to hazardous waste management. BLP, therefore, failed to comply with the condition for hazardous waste storage permit exemption, and violated the hazardous waste storage facility training record requirement.

3. As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. part 7045.0566 in order to avoid the need for a hazardous waste storage permit. (See Minn. R. part 7045.0292 subp. 1 item I [40 C.F.R. § 262.34(a) (4)].) Minn. R. part 7045.0566 subp. 6 requires that owners or operators of hazardous waste facilities maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless it can be demonstrated to the Commissioner that the aisle space is not needed for any of these purposes. See, Minn. R. part 7045.0566 subp. 6) [40 CFR §265.35]. This is also a requirement of owners and operators of hazardous waste storage facilities that store containers of hazardous waste. See, Minn. R. 7045.0462, Subpart 6 [40 C.F.R. § 264.35].

At the time of the November 2, 2010 inspection, the hazardous waste drums in the hazardous waste storage area were situated too close to one another to allow unobstructed movement of personnel and emergency equipment. BLP, therefore, failed to comply with the above-mentioned condition for a hazardous waste permit exemption, and violated the hazardous waste storage facility aisle space requirement.

4. As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0566 to 7045.0576 in order to avoid the need for a hazardous waste storage permit. (See Minn. R. part 7045.0292 subp. 1, item I [40 C.F.R. § 262.34(a) (4)].) Minn. R. part 7045.0572 subp. 4. item F. requires a spill prevention, control and countermeasure (SPCC) plan and/or contingency plan to include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The evacuation plan must describe the signal or signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes in cases where the primary routes could be blocked by the release of hazardous waste or fire. See, Minn. R. part 7045.0572, subp. 4. item F [40 C.F.R. §265.52(f)].

At the time of the November 2, 2010 inspection, BLP SPCC plan did not include an evacuation plan, and BLP, therefore, failed to comply with the conditions for a hazardous waste storage permit exemption and violated the the hazardous waste storage facility SPCC and/or contingency plan content requirements.

5. BLP conducts wood preserving operations on drip pads at the Facility. In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste that conducts wood preserving operations on drip pads must comply with Minn. R. part 7045.0644 and maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days, and maintain documentation of the quantities, dates, and times of each waste removal. Records relating to drip pads must

be maintained at the licensed site and must be easily available for agency inspection. (See Minn. R. part 7045.0292 subp. 1, item B. [40 C.F.R. § 262.34(a)(1)(iii)]). Under Minn. R. part 7045.0644 subp. 1, owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system are subject to the requirements of 40 C.F.R. Part 265, subpart W. Minn. R. part 7045.0541 subp. 1 subjects owners and operators of hazardous waste storage facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system to the requirements of 40 C.F.R. Part 264, subpart W.

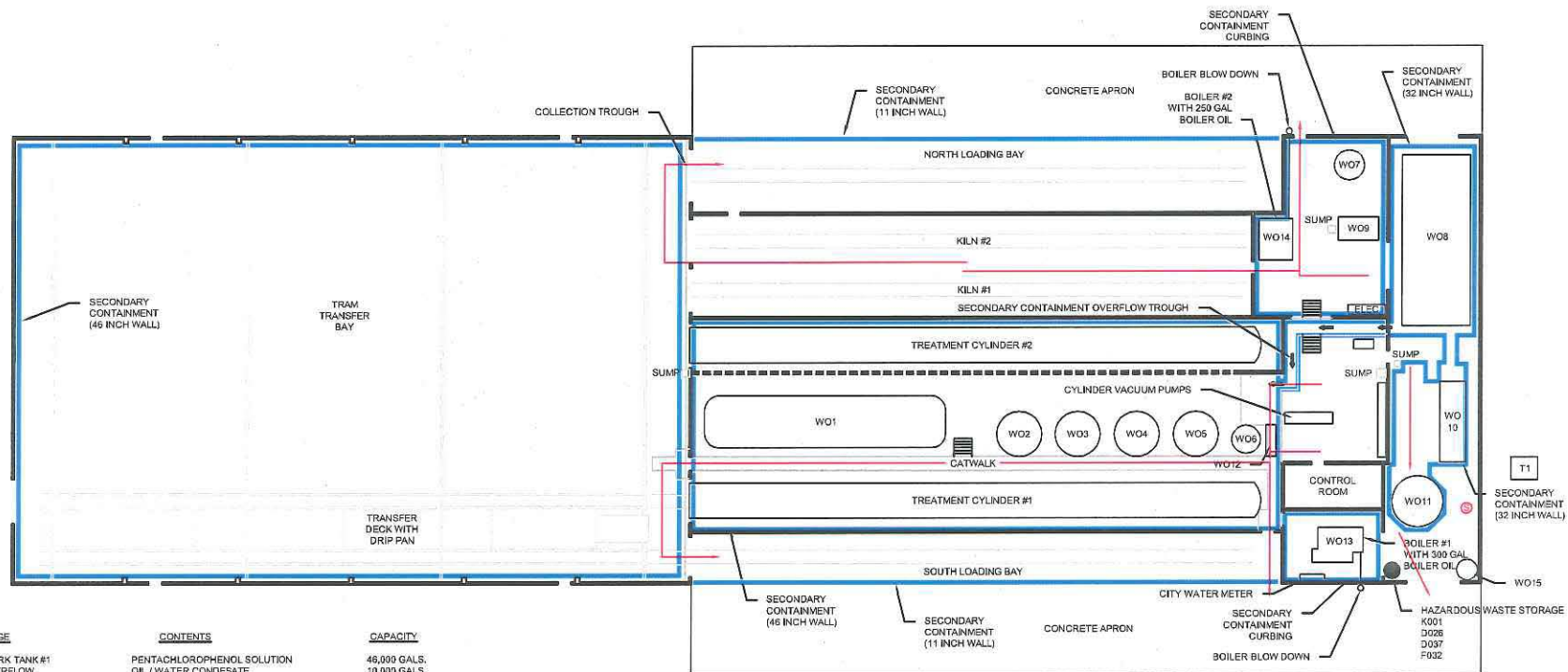
BLP did not maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days. BLP, therefore, failed to comply with the above mentioned conditions for a hazardous waste storage permit exemption, and was subject to the requirements for hazardous waste storage facility with drip pads at Minn. R. part 7045.0541 and 40 C.F.R. part 264 subpart W.

6. A large quantity generator who does not meet the conditions for a permit exemption at Minn. R. 7045.0292, Subpart 1 [40 CFR § 262.34(a)], is an operator of a hazardous waste storage facility, and is required to apply for and obtain a Minnesota hazardous waste storage permit. See, Minn. R. parts 7045.2092, subp. 1, items A – G; 7001.0030; 7001.0520 subp. 1, item A; 7001.0530; and 7001.0550 [40 C.F.R. §§ 270.1 (c), 270.10 (a) and (d)]. Upon failing to comply with the conditions for a hazardous waste permit exemption specified above, BLP became an operator of a hazardous waste storage facility. BLP failed to apply for and obtain a hazardous waste storage permit, and BLP's failure to apply for and obtain a hazardous waste storage permit, violated the permitting requirements of Minn. R. parts 7045.2092, subp. 1, items A – G; 7001.0520 subp. 1, item A; 7001.0530; and 7001.0550 [40 C.F.R. §§ 270.1 (c), 270.10 (a) and (d)].

At this time, EPA is not requiring BLP to submit an application for a hazardous waste storage permit, so long as it establishes compliance with the conditions for a permit exemption.

Under Section 3008(a) of the RCRA, EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspections to establish compliance with the above conditions and requirements.

However, please be advised that BLP's compliance with the conditions and requirements described above will not relieve BLP of its liability for the violations identified in this letter. EPA reserves the right to bring further enforcement actions (including an action for civil penalties) against BLP for the violations identified in this letter.



STORAGE

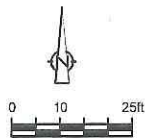
WO1. WORK TANK #1
WO2. OVERFLOW
WO3. WPO TANK
WO4. WPO TANK
WO5. LIQUID PENTA STORAGE TANK
WO6. COMBINATION TANK
WO7. DECANT TANK
WO8. WORK TANK #2
WO9. CHILLER UNIT
WO10. BLOCK DISSOLVER TANK
WO11. WAX STORAGE
WO12. VACUUM PUMP TANK
WO13. BOILER #1
WO14. BOILER #2
WO15. DRUM
T1. TRANSFORMER, PAD MOUNTED

CONTENTS

PENTACHLOROPHENOL SOLUTION
OIL / WATER CONDESATE
FUEL OIL
PENTACHLOROPHENOL SOLUTION
WATER AND LIGHT OILS
PENTACHLOROPHENOL SOLUTION
GLYCOL
PENTACHLOROPHENOL - SOLID FORM
BIO DIESEL
FUEL OIL
BOILER OIL
BOILER OIL
COPPER NAPHTHANATE
TRANSFORMER OIL

CAPACITY

46,000 GALS.
10,000 GALS.
10,000 GALS.
10,000 GALS.
10,000 GALS.
2,000 GALS.
5,200 GALS.
46,000 GALS.
1,000 GALS.
4,275 GALS.
10,000 GALS.
800 GALS.
300 GALS.
250 GALS.
55 GALS.
250 GALS.



— SECONDARY CONTAINMENT STRUCTURE
— EVACUATION ROUTE
— SPILL RESPONSE EQUIPMENT

figure 3.1

FLOOR PLAN
WOOD TREATMENT BUILDING
Bell Lumber & Pole Company



FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 12-19-11

Bell Pole Inspector: E. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>	<u>20</u>	<u>HAWD</u>		<u>4</u>
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>	<u>25</u>	<u>HAWD</u>		<u>4</u>
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:17PM

BELL LUMBER & POLE

NO. 9861 P. 10

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD/ COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 12-26-11

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>Y</u>	<u>Y</u>	<u>206gal</u>	<u>HDW</u>		
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Floor /liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>	<u>H</u> ↖ <u>106gal</u>		<u>12-20</u>	
North Load/Unload Bay	<u>N</u>	<u>N</u>	<u>H</u> ↖ <u>106gal</u>		<u>12-20</u>	
Haz waste storage area	<u>N</u>	<u>N</u>				<u>Y</u>
Additional Comments						

Note : Waste Cleaning /Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:17PM

BELL LUMBER & POLE

NO. 9861 P. 9

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 2/20/12

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>				
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>	<u>55</u>	<u>14</u>	<u>2,19/12</u>	<u>4</u>
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				<u>4</u>
Additional Comments						

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 8

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 7

FORM 4a

**WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP**
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 3/8/12Bell Pole Inspector: Jairo Trejo

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N	7.5	HT	11 00	Y
***Transfer Bay Collection Trench	N	N	2.5	HT	11 00	Y
Transfer Bay Floor/liner	N	N	5	HT	0700	Y
Transfer Bay Collection Trench	N	N	10		0830	
Transfer Bay Sump and Pump	N	N	10		0900	
South Load/Unload Bay	N	N	30		1000	
North Load/Unload Bay	N	N	30		1200	
Haz waste storage area	N	N	5		1315	
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 4-2-12

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

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	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>	<u>20 GALS</u>	<u>DW</u>	<u>4-1-12</u>	
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				<u>4</u>
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 6

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD/ COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 5-7-12

Bell Pole Inspector: B. Chamber

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

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	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>NO</u>	<u>56445</u>	<u>H</u>	<u>5/4/12</u>	
***Transfer Bay Collection Trench	<u>N</u>	<u>NO</u>				
Transfer Bay Floor/liner	<u>N</u>	<u>NO</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>NO</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>NO</u>				
South Load/Unload Bay	<u>N</u>	<u>NO</u>				
North Load/Unload Bay	<u>N</u>	<u>NO</u>				
Haz waste storage area	<u>N</u>	<u>NO</u>				<u>4</u>
Additional Comments						

Note : Waste Cleaning/ Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

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FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 5-14-12

Bell Pole Inspector: B. Chambers

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	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N				
***Transfer Bay Collection Trench	N	N	5 GAL	N	5/5	
Transfer Bay Floor/liner	N	N				
Transfer Bay Collection Trench	N	N				
Transfer Bay Sump and Pump	N	N				
South Load/Unload Bay	N	N				
North Load/Unload Bay	N	N				
Haz waste storage area	N	N				1
Additional Comments						

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 4

AUG. 9. 2012 1:15PM

BELL LUMBER & POLE

NO. 9861 P. 3

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 6/12/12Bell Pole Inspector: Jairo Trejo

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N	8	HT	10:00	Y
***Transfer Bay Collection Trench	N	N	4	HT	1000	Y
Transfer Bay Floor/liner	N	N	3	HT	0800	Y
Transfer Bay Collection Trench			7		0830	
Transfer Bay Sump and Pump			9		0900	
South Load/Unload Bay		N	25		1100	
North Load/Unload Bay		N	30		1230	
Haz waste storage area		N	10		1300	
Additional Comments						

Note: Waste Cleaning/ Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

FORM 4b

90 DAY DRIP PAD CLEANING LOG

THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days. Each cleaning or waste removal activity must be documented below

Cleaning Date	Conducted by	Initials	Waste removed (gal)	Removal Method	Drums Labeled and Stored (Y/N)
12/9/11	GARY CHAMBERS	GC	10	H	Y
12/19/11	GARY CHAMBERS	GC	45	H, A, W, D	Y
12/26/11	GARY CHAMBERS	GC	20	H, D, W	Y
2/20/12	GARY CHAMBERS	GC	55	H	Y
3/8/12	JAIRO TREJO	JT	10	H	Y
4/2/12	GARY CHAMBERS	GC	20	D, W	Y
5/7/12	GARY CHAMBERS	GC	5	H	Y
5/14/12	GARY CHAMBERS	GC	5	H	Y
6/12/12	JAIRO TREJO	JT	12	A	Y

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:15PM

BELL LUMBER & POLE

NO. 9861 P. 2

AUG. 9. 2012 1:14PM

BELL LUMBER & POLE

NO. 9861 P. 1



778 -- 1st Street NW • P.O. Box 120786
New Brighton, MN 55112-0024

Phone: 651-633-4334
Fax: 651-633-8852
www.blpole.com

August 9, 2012

Ms. Sheila Burrus
Land and Chemicals Division, RCRA Compliance Section I,
United States Environmental Protection Agency
Mail Code LR-8J
77 West Jackson boulevard
Chicago, IL 60604-3590
Fax 312-692-2197

RE: Bell Lumber & Pole Response to Questions by Ms Burrus Per Phone Conversations
August 8, 2012, 12:57 pm and 1:02 pm

Dear Ms. Burrus:

Attached please find the requested information.

Bell Lumber & Pole ("BLP") has revised its drip pad inspection and waste removal forms. The forms have space to show the person doing the cleanup, the amount of waste removed and how the removal was done, and verification that the waste was properly labeled and drummed. This information is compiled in a central log so inspection and removal activity can be easily tracked. Lastly, BLP has initiated an electronic reminder protocol so the management team can verify the 90-day storage limit for hazardous waste is met.

The attached documents are an example of the new forms.

Sincerely,

7142773v1

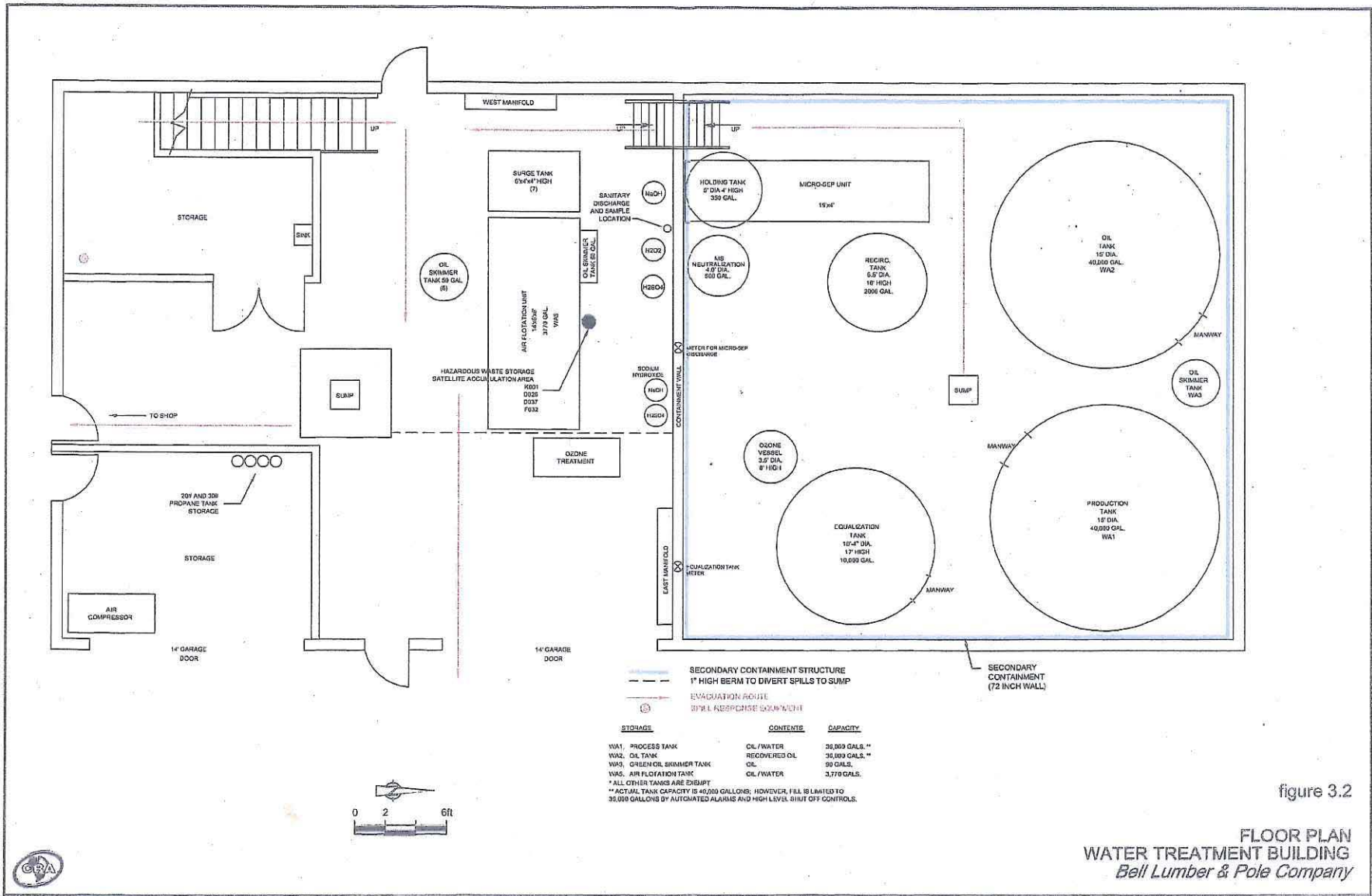


figure 3.2

FLOOR PLAN
 WATER TREATMENT BUILDING
 Bell Lumber & Pole Company

12/6/14
 4051-470-5008

AUG. 9. 2012 1:14PM

BELL LUMBER & POLE

MNB004 204 403

NO. 9861 P. 1



778 - 1st Street NW • P.O. Box 120786
New Brighton, MN 55112-0024

Phone: 651-633-4334
Fax: 651-633-8852
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August 9, 2012

Ms. Sheila Burrus
Land and Chemicals Division, RCRA Compliance Section I,
United States Environmental Protection Agency
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The attached documents are an example of the new forms.

Sincerely,

7142773v1

FORM 4b

90 DAY DRIP PAD CLEANING LOG

THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days. Each cleaning or waste removal activity must be documented below

Cleaning Date	Conducted by	Initials	Waste removed (gal)	Removal Method	Drums Labeled and Stored (Y/N)
12/9/11	GARY CHAMBERS	GC	10	H	Y
12/19/11	GARY CHAMBERS	GC	45	H, A, W, D	Y
12/26/11	GARY CHAMBERS	GC	20	H, D, W	Y
2/20/12	GARY CHAMBERS	GC	55	H	Y
3/8/12	JAIRO TRESO	JT	10	H	Y
4/2/12	GARY CHAMBERS	GC	20	D, W	Y
5/7/12	GARY CHAMBERS	GC	5	H	Y
5/14/12	GARY CHAMBERS	GC	5	H	Y
6/12/12	JAIRO TRESO	JT	12	H	Y

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:15PM

BELL LUMBER & POLE

NO. 9861 P. 2

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 6/12/12Bell Pole Inspector: Jairo Trejo

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N	8	HT	10:00	Y
***Transfer Bay Collection Trench	N	N	4	HT	1000	Y
Transfer Bay Floor/liner	N	N	3	HT	0800	Y
Transfer Bay Collection Trench			7		0830	
Transfer Bay Sump and Pump			9		0900	
South Load/Unload Bay		N	25		1100	
North Load/Unload Bay		N	30		1230	
Haz waste storage area		N	10		1300	
Additional Comments						

Note: Waste Cleaning/ Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 5-14-12

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/Drip pads	N	N				
***Transfer Bay Collection Trench	N	N	56AL	N	5/5	
Transfer Bay Floor/liner	N	N				
Transfer Bay Collection Trench	N	N				
Transfer Bay Sump and Pump	N	N				
South Load/Unload Bay	N	N				
North Load/Unload Bay	N	N				
Haz waste storage area	N	N				Y
Additional Comments						

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 4

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 5-7-12

Bell Pole Inspector: B. Chamber

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>No</u>	<u>56425</u>	<u>N</u>	<u>5/4/12</u>	
***Transfer Bay Collection Trench	<u>N</u>	<u>No</u>				
Transfer Bay Floor/liner	<u>N</u>	<u>No</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>No</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>No</u>				
South Load/Unload Bay	<u>N</u>	<u>No</u>				
North Load/Unload Bay	<u>N</u>	<u>No</u>				
Haz waste storage area	<u>N</u>	<u>No</u>				<u>Y</u>
Additional Comments						

Note : Waste Cleaning/ Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 5

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD/ COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 4-2-12

Bell Pole Inspector: B Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>	<u>20 GALS</u>	<u>DW</u>	<u>4-1-12</u>	
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				<u>4</u>
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 3/8/12Bell Pole Inspector: Jairo Trejo

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each clearing or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N	7.5	HT	11 00	Y
***Transfer Bay Collection Trench	N	N	2.5	HT	11 00	Y
Transfer Bay Floor/liner	N	N	5	HT	0700	Y
Transfer Bay Collection Trench	N	N	10		0830	
Transfer Bay Sump and Pump	N	N	10		0900	
South Load/Unload Bay	N	N	30		1000	
North Load/Unload Bay	N	N	30		1200	
Haz waste storage area	N	N	5		1315	
Additional Comments						

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 2/20/12

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>				
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>	<u>55</u>	<u>H</u>	<u>2,19/12</u>	<u>4</u>
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				<u>4</u>
Additional Comments						

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:16PM

BELL LUMBER & POLE

NO. 9861 P. 8

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 12-26-11

Bell Pole Inspector: B. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck.. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>Y</u>	<u>Y</u>	<u>206gal</u>	<u>HDW</u>		
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Floor /liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>	<u>H</u> ↗ <u>106gal</u>		<u>12-20</u>	
North Load/Unload Bay	<u>N</u>	<u>N</u>	<u>H</u> ↖ <u>106gal</u>		<u>12-20</u>	
Haz waste storage area	<u>N</u>	<u>N</u>				<u>Y</u>
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:17PM

BELL LUMBER & POLE

NO. 9861 P. 9

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH / SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

Inspection/Cleaning Date: 12-19-11

Bell Pole Inspector: S. Chambers

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

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	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	<u>N</u>	<u>N</u>	<u>20</u>	<u>HAWD</u>		<u>Y</u>
***Transfer Bay Collection Trench	<u>N</u>	<u>N</u>	<u>25</u>	<u>HAWD</u>		<u>Y</u>
Transfer Bay Floor/liner	<u>N</u>	<u>N</u>				
Transfer Bay Collection Trench	<u>N</u>	<u>N</u>				
Transfer Bay Sump and Pump	<u>N</u>	<u>N</u>				
South Load/Unload Bay	<u>N</u>	<u>N</u>				
North Load/Unload Bay	<u>N</u>	<u>N</u>				
Haz waste storage area	<u>N</u>	<u>N</u>				
Additional Comments						

Note : Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner

AUG. 9. 2012 1:17PM

BELL LUMBER & POLE

NO. 9861 P. 10

AUG. 9. 2012 1:17PM

BELL LUMBER & POLE

NO. 9861 P. 11

FORM 4a
WEEKLY INSPECTION OF DRIP PAD,
HAZARDOUS WASTE STORAGE AREAS, AND
WASH DOWN OF DRIP PAD / COLLECTION TRENCH/ SUMP
THIS FORM IS USED FOR RCRA (Resource Conservation and Recovery Act) REQUIREMENTS

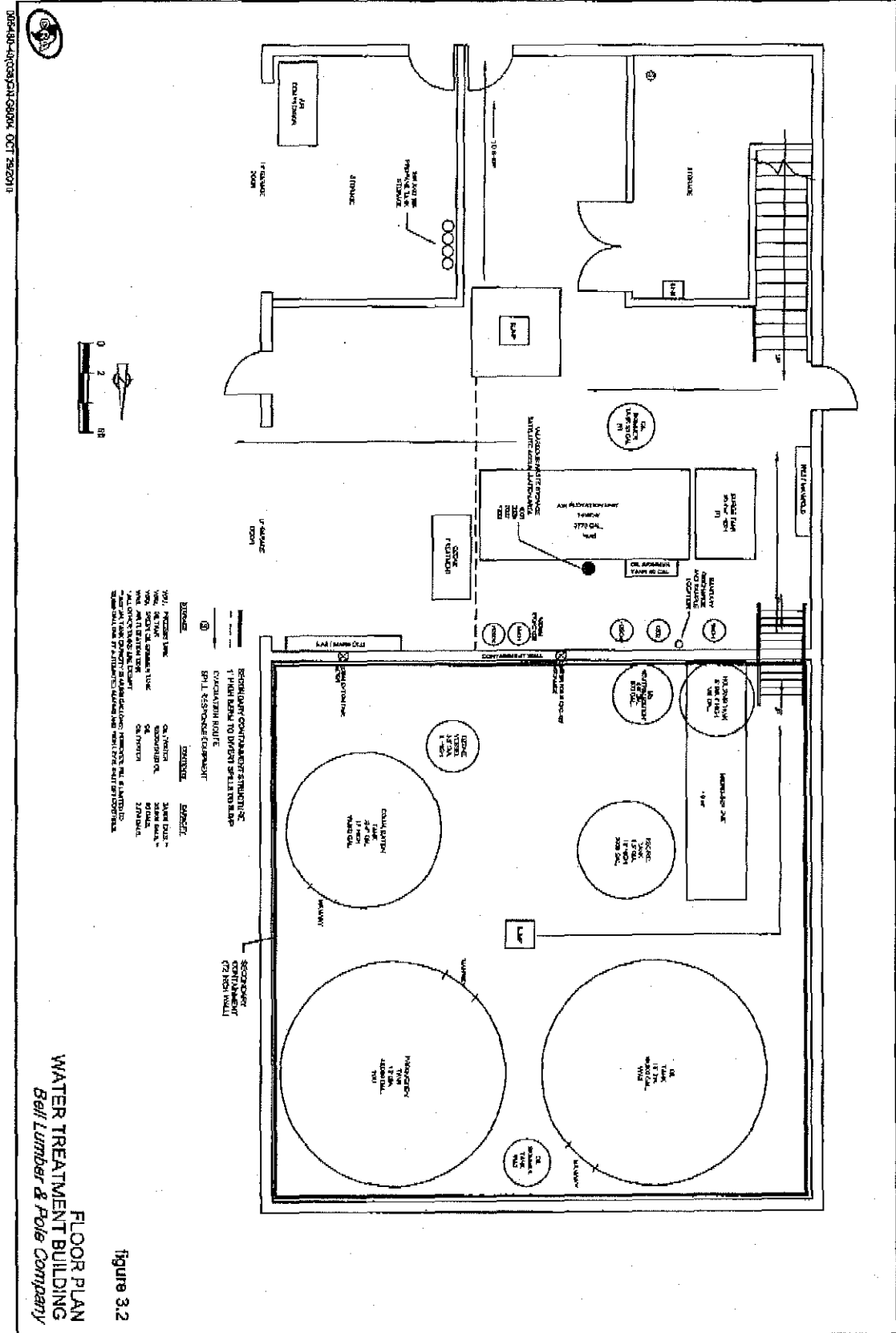
Inspection/Cleaning Date: 12-9-11Bell Pole Inspector: GARY CHAMBERS

Federal and state regulations under RCRA (Resource Conservation and Recovery Act) require weekly inspection of the drip pads, and cleaning as required. The rule states: "Cleaning of drip pads is required in a manner and frequency to be determined on a facility-specified basis by the owner/operator to allow weekly inspection of the entire surface of the drip pad." In addition, "Owners and operators must document, in the facility's operating record, the date, time, and quantity of leakage collection when it is removed from the collection device." The collection device here is the underlying epoxy coated concrete floor liner.

The drip pads consists of the solid steel transfer deck. Although it is not anticipated that the steel transfer deck will ever leak, inspections nevertheless, need to be made of both the transfer deck, the underlying epoxy coated concrete liner, collection sumps and unload bays. ***At a minimum all waste must be removed from the transfer deck/drip pads and collection sumps every 90 days and documented below and on the 90 day cleaning form 4b. Each cleaning or waste removal activity must be documented below

	Leaks (Y/N)	Damage/Cracks (Y/N)	Waste removed (gal)	Removal Method	Time	Drums Labeled and Stored (Y/N)
***Transfer Deck/ Drip pads	N	N	8	HT	10:00	Y
***Transfer Bay Collection Trench	N	N	2	HT	10:00	Y
Transfer Bay Floor/liner	N	N	-	-	-	-
Transfer Bay Collection Trench	N	N	-	-	-	-
Transfer Bay Sump and Pump	N	N	-	-	-	-
South Load/Unload Bay	N	N	-	-	-	-
North Load/Unload Bay	N	N	-	-	-	-
Haz waste storage area	N	N	-	-	-	-
Additional Comments	OTHER AREAS CLEAN					

Note: Waste Cleaning/Removal Methods - (H) Hand tools, (A) Adsorbent Wipes, (D) Detergent, (W) Water, (S) Steam Cleaner





Land and Chemicals Division

Type of Document: ☒ Notice of Violation ~~and Inspection Report/Checklist~~
☐ No Violation Letter and Inspection Report/Checklist
☐ Letter of Acknowledgment
☐ Information Request
☐ Pre-Filing and Opportunity to Confer
☐ State Notification of Enforcement Action
☐ Return to Compliance
☐ Other Correspondence

Facility Name: Bell Lumber and Pole Company

City: New Brighton State: MN

U.S. EPA ID#: MND 006 206 403

Assigned Staff: Sheila Burrus Phone: 6-3587

Name	Signature	Date
Author	<i>Sheila Burrus</i>	5/23/12
Regional Counsel	<i>RC at comments</i>	6/5/12
Section Chief	<i>Donna M. Lee</i>	6/5/12
Branch Chief	<i>Donna M. Lee</i>	6/6/12

Directions/Request for Clerical Support:

After the Section Chief/Branch Chief signs this sheet and original letter:

1. Date stamp the cover letter;
2. Make one copy of the contents of this folder for the official file; Note: original inspection report goes into file room.
3. Scan the letter and save the file in the appropriate share drive folder.
4. Mail the original certified mail.
5. Distribute office copies and cc's and bcc's by email. *ORC: Maria Gonzalez*

Once the certified mail receipt is returned:

6. File the certified mail receipt (green card), with this sign-off sheet and the official file copy, and take to 7th floor RCRA file room.
7. E-mail staff the date that the letter was received by facility.



Land and Chemicals Division

Type of Document: ☒ Notice of Violation and Inspection Report/Checklist
☐ No Violation Letter and Inspection Report/Checklist
☐ Letter of Acknowledgment
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☐ State Notification of Enforcement Action
☐ Return to Compliance
☐ Other Correspondence- NOD, memo to ORC

Facility Name: Bell Lumber and Pole Company

City: New Brighton

State: MN

U.S. EPA ID#: MND 006 206 403

Assigned Staff: Sheila Burrus

Phone: 6-3587

Name	Signature	Date
Author	<i>Sheila Burrus</i>	12/9/10
Regional Counsel	—	—
Section Chief	<i>Laura M. Jones</i>	12/14/10
Branch Chief	—	—

Directions/Request for Clerical Support:

After the Section Chief/Branch Chief signs this sheet and original letter:

1. Date stamp the cover letter;
2. Make one copy of the contents of this folder for the official file; Note: original inspection report goes into file room.
3. Scan the letter and save the file in the appropriate share drive folder.
4. Mail the original certified mail.
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6. File the certified mail receipt (green card), with this sign-off sheet and the official file copy, and take to 7th floor RCRA file room.
7. E-mail staff the date that the letter was received by facility.



To: MPCA
Cc: Gary Victorine/R5/USEPA/US, Sheila Burrus/R5/USEPA/US,
Bcc:
Subject: Enforcement Action Communication- Bell Lumber and Pole Company NOV

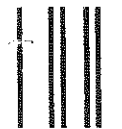
This is to inform you that on or about June 8, 2012, U.S. EPA will send by certified mail, the attached notice of violation (NOV) to Bell Lumber and Pole Company (BLPC) located in New Brighton, Minnesota. The alleged violations were found during U.S. EPA's November 2, 2010 compliance evaluation inspection of the BLPC facility.

Contact: Sheila Burrus, (312) 886-3587



BLP.NOV06612-revised.docx

Lorna M. Jereza, Chief
Compliance Section 1
RCRA Branch
Land and Chemicals Division (LR-8J)
U.S. EPA, Region 5, Chicago
Telephone: (312) 353-5110
Facsimile: (312) 385-5519



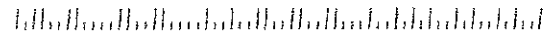
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •



Ms. Sheila Burrus
U.S. EPA Region 5/ LR-8J
77 W. Jackson Blvd
Chicago, IL 60604

RECEIVED
DIVISION OF T. OFFICE
JUL 13 2012
LAND AND CHEMICALS DIVISION
U.S. EPA - REGION 5
Mr. B
Bell L
778 1
New



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



Stepaniak
ber & Pole Company
treet NW
ghton, MN 55112

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7009 1680 0000 7677 9760

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 09 2012

REPLY TO THE ATTENTION OF:

LR-8J

7009 1680 0000 7677 9760
CERTIFIED MAIL #7001 0320 0006 0177 2923
RETURN RECEIPT REQUESTED

Mr. Brian Stepaniak
Safety and Quality Control Coordinator
Bell Lumber and Pole Company
778 1st Street NW
New Brighton, Minnesota 55112

Re: Notice of Violation
Bell Lumber and Pole Company
EPA ID No.: MND 006 206 403

Dear Mr. Stepaniak:

On November 2, 2010, a representative of the U.S. Environmental Protection Agency inspected Bell Lumber and Pole Company's (BLP's) facility, located at 778 1st Street NW in New Brighton, Minnesota (the Facility). The purpose of the inspection was to evaluate BLP's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. I have enclosed a copy of the inspection report for your reference.

Based on information provided by BLP, a review of records and the inspector's personal observations while inspecting the Facility, EPA finds that BLP is engaged in the storage of hazardous waste without a hazardous waste permit, and is in violation of certain requirements of the authorized Minnesota Rules (Minn. R.) and U.S. Code of Federal Regulations (C.F.R.). This letter cites the Minnesota Rules authorized at time of the inspection. To be eligible for the exemption from the requirement to obtain a hazardous waste storage permit, BLP must be in compliance with the conditions of Minn. R. Part 7045.0292, Subparts 1 and 8 [40 C.F.R. § 262.34(a) and (c)]. We find that BLP was not in compliance with the following conditions for a hazardous waste storage permit exemption, and in violation of the following requirements:

1. Any person who produces a waste within the state of Minnesota must evaluate the waste to determine if it is hazardous. See, Minn. R. 7045.0214, Subp. 1 [40 C.F.R. § 262.11]. A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Minn. R. 7045.0214 to 7045.0217 for at least

three years from the date that the waste was last sent to an on-site or off-site treatment, storage or disposal facility. See, Minn. R. part 7045.0294, subp. 3 [40 C.F.R. § 262.40(c)]. Minn. R. part 7045.0294 subp. 5 requires that the records referred to in subp. 3 be located at the licensed site and easily available for agency inspection.

At the time of the November 2, 2010 inspection, BLP was unable to produce any records that documented the hazardous waste evaluation for any of its waste streams. BLP, therefore, violated the above-mentioned hazardous waste generator recordkeeping requirement.

2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0558, 7045.0562, subps. 1 and 2; 7045.0566 to 7045.0576; and 40 C.F.R. § 268.7(a)(5) regarding personnel training, ignitable, reactive or incompatible waste, preparedness and prevention, and contingency planning. See, Minn. R. 7045.0292 subp. 1, item I [40 C.F.R. § 262.34(a)(4)]. Under Minn. R. part 7045.0558, hazardous waste facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with Minn. R. Ch. 7045. (See Minn. R. part 7045.0558.) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. The training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment, and emergency systems, including, where applicable: (i) procedures for using, inspecting, repairing, and replacing facility emergency and monitoring equipment; (ii) key parameters for automatic waste feed cutoff systems; (iii) communications or alarm systems; (iv) procedures for response to fire or explosions; (v) procedures for response to ground water contamination incidents; and (vi) procedures for shutdown of operations. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 3 [40 C.F.R. § 264.16(a)(3)].

Minn. R. part 7045.0558 subp. 6 requires the following documents and records to be maintained at the facility: A. the job title for each position at the facility related to hazardous waste management and the name of the employee filling each job; B. a written job description for each position at the facility related to hazardous waste; C. a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position described in item A; and D records that document that the training or job experience required under Subparts 1 to 5 of Minn. R. 7045.0558 has been given to, and completed by, facility personnel. These are also requirements for owners and operators of hazardous waste storage facilities. See, Minn. R. part 7045.0454 subp. 6 [40 C.F.R. § 264.16(d)].

At the time of the November 2, 2010 inspection, BLP had not maintained a written job description for each position at the facility related to hazardous waste management. BLP, therefore, failed to comply with the condition for hazardous waste storage permit exemption, and violated the hazardous waste storage facility training record requirement.

3. As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. part 7045.0566 in order to avoid the need for a hazardous waste storage permit. (See Minn. R. part 7045.0292 subp. 1 item I [40 C.F.R. § 262.34(a) (4)].) Minn. R. part 7045.0566 subp. 6 requires that owners or operators of hazardous waste facilities maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless it can be demonstrated to the Commissioner that the aisle space is not needed for any of these purposes. See, Minn. R. part 7045.0566 subp. 6) [40 CFR §265.35]. This is also a requirement of owners and operators of hazardous waste storage facilities that store containers of hazardous waste. See, Minn. R. 7045.0462, Subpart 6 [40 C.F.R. § 264.35].

At the time of the November 2, 2010 inspection, the hazardous waste drums in the hazardous waste storage area were situated too close to one another to allow unobstructed movement of personnel and emergency equipment. BLP, therefore, failed to comply with the above-mentioned condition for a hazardous waste permit exemption, and violated the hazardous waste storage facility aisle space requirement.

4. As discussed above, a large quantity generator of hazardous waste must fulfill the requirements of Minn. R. parts 7045.0566 to 7045.0576 in order to avoid the need for a hazardous waste storage permit. (See Minn. R. part 7045.0292 subp. 1, item I [40 C.F.R. § 262.34(a) (4)].) Minn. R. part 7045.0572 subp. 4. item F. requires a spill prevention, control and countermeasure (SPCC) plan and/or contingency plan to include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The evacuation plan must describe the signal or signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes in cases where the primary routes could be blocked by the release of hazardous waste or fire. See, Minn. R. part 7045.0572, subp. 4. item F [40 C.F.R. §265.52(f)].

At the time of the November 2, 2010 inspection, BLP SPCC plan did not include an evacuation plan, and BLP, therefore, failed to comply with the conditions for a hazardous waste storage permit exemption and violated the the hazardous waste storage facility SPCC and/or contingency plan content requirements.

5. BLP conducts wood preserving operations on drip pads at the Facility. In order to avoid the need for a hazardous waste storage permit, a large quantity generator of hazardous waste that conducts wood preserving operations on drip pads must comply with Minn. R. part 7045.0644 and maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days, and maintain documentation of the quantities, dates, and times of each waste removal. Records relating to drip pads must

be maintained at the licensed site and must be easily available for agency inspection. (See Minn. R. part 7045.0292 subp. 1. item B. [40 C.F.R. § 262.34(a)(1)(iii)]). Under Minn. R. part 7045.0644 subp.1, owners and operators of facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system are subject to the requirements of 40 C.F.R. Part 265, subpart W. Minn. R. part 7045.0541 subp.1 subjects owners and operators of hazardous waste storage facilities that use new or existing drip pads to convey treated wood drippage, precipitation, and/or surface water runoff to an associated collection system to the requirements of 40 C.F.R. Part 264, subpart W.

BLP did not maintain records containing a description of procedures that will be followed to ensure that all wastes are removed from drip pads and associated collection systems at least once every 90 days. BLP, therefore, failed to comply with the above mentioned conditions for a hazardous waste storage permit exemption, and was subject to the requirements for hazardous waste storage facility with drip pads at Minn. R. part 7045.0541 and 40 C.F.R. part 264 subpart W.

6. A large quantity generator who does not meet the conditions for a permit exemption at Minn. R. 7045.0292, Subpart 1 [40 CFR § 262.34(a)], is an operator of a hazardous waste storage facility, and is required to apply for and obtain a Minnesota hazardous waste storage permit. See, Minn. R. parts 7045.2092, subp. 1, items A – G; 7001.0030; 7001.0520 subp. 1, item A; 7001.0530; and 7001.0550 [40 C.F.R. §§ 270.1 (c), 270.10 (a) and (d)]. Upon failing to comply with the conditions for a hazardous waste permit exemption specified above, BLP became an operator of a hazardous waste storage facility. BLP failed to apply for and obtain a hazardous waste storage permit, and BLP's failure to apply for and obtain a hazardous waste storage permit, violated the permitting requirements of Minn. R. parts 7045.2092, subp.1, items A – G; 7001.0520 subp. 1, item A; 7001.0530; and 7001.0550 [40 C.F.R. §§ 270.1 (c), 270.10 (a) and (d)].

At this time, EPA is not requiring BLP to submit an application for a hazardous waste storage permit, so long as it establishes compliance with the conditions for a permit exemption.

Under Section 3008(a) of the RCRA, EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspections to establish compliance with the above conditions and requirements.

However, please be advised that BLP's compliance with the conditions and requirements described above will not relieve BLP of its liability for the violations identified in this letter. EPA reserves the right to bring further enforcement actions (including an action for civil penalties) against BLP for the violations identified in this letter.

You should submit your response to Sheila Burrus, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Ms. Burrus, of my staff, at (312) 886-3587.

Sincerely,


Gary Victorine, Chief
RCRA Branch

Enclosure


cc: Jeff.Connell@epa.state.mn.us

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

COMPLIANCE EVALUATION INSPECTION REPORT

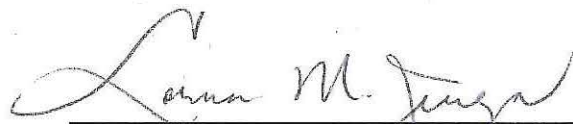
INSTALLATION NAME: Bell Lumber and Pole Company
U.S. EPA ID. No.: MND 006 206 403
LOCATION ADDRESS: 778 1ST Street Northwest
New Brighton, Minnesota 55112
NAICS CODES: 321114 – Poles, Wood, Treating
DATE OF INSPECITON: November 2, 2010
U.S. EPA INSPECTOR: Sheila Burrus, Environmental Protection Specialist

PREPARED BY:


Sheila Burrus
Environmental Protection Specialist

12/9/10
Date:

REVIEWED BY:


Lorna M. Jereza, Chief
Compliance Section 1
RCRA Branch
Land and Chemicals Division

12/14/10
Date:

Purpose of Inspection

The purpose of the inspection was to conduct an un-announced compliance evaluation inspection (CEI) at Bell Lumber and Pole Company (BLP), located at 778 1st Street NW, New Brighton, Minnesota 55112, to evaluate BLP compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA) specifically those regulations related to the management of hazardous waste.

The U.S. EPA OECA Small Business Resource Information Sheet, the Keys to Success brochure, Minnesota Technical Assistance Program (MNTAP) sheet and the U.S. EPA Managing Used Oil Advice for Small Business brochure were given to Brian Stepaniak, Safety and Quality Control Coordinator of BLP by the inspector, at the time of the inspection.

Participants: Brian Stepaniak, Safety and Quality Control Coordinator represented BLP. Sheila Burrus represented EPA Region 5, Land and Chemicals Division. Laura Piotrowski with Ramsey County was present at the inspection from 8:20 a.m. until 9:15 a.m.

Installation Description/Background

The BLP is a wood treating facility. BLP has been supplying wood utility poles to North American utility markets for over 95 years. Bell Lumber is known as the largest producer of cedar poles in North America. Bell also produces large quantities of red pine and lodgepole pine poles. BLP has been in business since 1919 but at its current location since 1991. A review of hazardous waste manifests and waste volume on-site indicates that BLP has been operating as a large quantity generator.

BLP hazardous waste current license, issued by Ramsey County, was visibly posted in a public area. The license is valid from May 1, 2010 through April 30, 2011.

Waste Generation

The hazardous waste generated at the BLP operations includes filter cake sludge, contaminated personal protective equipment, treated wood and contaminated soil. The above generated wastes are classified under waste code F032. BLP also generates parts washer solvent.

The BLP generates hazardous wastes in the following ways: 1) Drillage on the drip pad in the treating building, 2) During tank cleanouts, 3) Wood chips or silvers and dirt that may accumulate in the loading/unloading bay attached to the treating plant and 4) Infrequent and incidental drillage after poles are removed from the drip pad area.

The sludge that accumulates on the drip pad area is immediately shovel into 55-gallon drums.

The used oil is generated from forklift truck maintenance.

The hazardous waste generated at BLP are all related to process residuals, preservatives drillage, and spent formulations from wood preserving processes.

Opening Conference

I arrived at BLP at 8:20 a.m. on November 2, 2010. Laura Piotrowski, Environmental Health Specialist II, Ramsey County was waiting in the parking lot. We entered the building and I introduced myself to the receptionist and presented my enforcement credentials and told her the purpose of our visit. At this time, the receptionist contacted Brian Stepaniak, Safety and Quality Control Coordinator who came to the receptionist area to assist us. I presented my enforcement credentials to Mr. Stepaniak and explained the purpose of our visit.

Mr. Stepaniak, Ms. Piotrowski and I convened in Mr. Stepaniak office where I explained to him that I would like to conduct a CEI that included a visual site inspection and records review. I then conducted the opening conference with Mr. Stepaniak. I explained to him what specific records, I would need to review.

I asked Mr. Stepaniak for a brief description of the type of work done at this installation and the types of wastes generated. Mr. Stepaniak began to provide background and waste stream information about BLP which is included above in the installation description/background section of this report. Ms. Piotrowski excused the meeting at approximately 9:15 a.m. due to training back at the office.

I continued the opening conference by asking Mr. Stepaniak who picks up BLP waste. Mr. Stepaniak indicated that Brenntag Great Lakes, LLC, located in Menomonee Falls, Wisconsin picks up its hazardous waste. The waste and used oil is then transported to System Environmental Corporation located in Fredonia, Kansas. Green Lights Recycling located in Blaine, Minnesota picks up its fluorescent lamps. OSI Environmental, Inc. located in Rogers, Minnesota picks up used oil and used oil filters.

Records Review

I began the CEI by conducting the records review portion of the inspection. I was assisted by Mr. Stepaniak.

I informed Mr. Stepaniak that I wanted to review hazardous waste manifests, land disposal restriction forms, waste analysis data, hazardous waste training records, biennial reports, most current contingency plan and weekly inspection container logs for the hazardous waste storage area.

My observations are categorized below:

Personnel Training/Job Descriptions

BLP was unable to provide training records for its employees that handle and/or manage hazardous waste for the year 2009. Mr. Stepaniak did provide training records for the the years 2008 and 2010. Mr. Stepaniak provided training records for the year 2009 via email on November 11, 2010. The training records for the years 2008 through 2010 appear to be in order without issue.

BLP job descriptions do not include a written description of hazardous waste duties for its employees that handle or manage hazardous waste. Mr. Stepaniak submitted revised copies of job descriptions for its employees that handle and/or manage hazardous waste on November 8, 2010 via email. The revised job descriptions still do not include a written description of hazardous waste duties for its employees. BLP revised job description submittal provides instruction on how hazardous waste must be managed.

Weekly Inspection Logs

BLP was documenting weekly inspections of the hazardous waste storage area only when hazardous waste containers were being stored in the storage area. I informed Mr. Stepaniak that weekly inspections must be conducted and documented even when containers are not being stored in the hazardous waste storage area. The purpose of the hazardous waste inspections is to inspect the containers, as well, as the storage area checking and/or looking for cracks in the floor, etc.

Contingency Plan

BLP was in the process of finalizing its contingency plan at the time of the inspection. I briefly scanned through the draft contingency plan but decided to wait until the final copy was submitted for review. I received a copy of the final contingency plan on November 16, 2010. BLP did have a Spill Prevention Control Countermeasure Plan (SPCC) on-site at the time of the inspection. I reviewed the contingency plan and it appears to be in complete order without issue.

Waste Analysis Records

BLP was unable to provide waste analysis at time of inspection.

I reviewed hazardous waste manifests, land disposal restriction records and biennial reports for the years 2007 until present. All documentation reviewed appears to be in complete order without issue.

Visual Site Inspection (VSI)

I was accompanied by Mr. Stepaniak during the VSI portion of the inspection. The VSI began in the outdoor pole cutting and storage area (Photographs 1 through 3).

We proceeded to the maintenance shop where I observed one 200-gallon used oil tank and one 55-gallon drum of used oil filters (Photographs 4 and 5). Both drums were labeled and closed.

Next, we proceeded to the treating plant. The treating process uses a work tank with a treating solution of Pentachlorophenol, diesel and co-solvent. When it is time to treat a load of poles, the tram is loaded with poles that have been framed and readied according to the customer specification and then the tram is loaded into one of the two treating cylinders on site. Once the poles are loaded into the cylinder the door is closed using hydraulics and the cylinder is sealed shut. Then the work tank solution and the poles are hot washed with the oil solution and then pumped back to the work tank. Then a vacuum is applied to the poles to remove any excess oil (Photograph 6).

The treating solution tank is cleaned out approximately every 3 years by an outside contractor.

The filter press which is located within the wood treating plant has been out of service since 2006.

We proceeded to the hazardous waste storage area which is located in the wood treating building. I observed three 55-gallon drums of hazardous waste sludge and one 55-gallon drum of hazardous waste wood chips (Photographs 7 and 8). All containers were labeled and closed.

I also observed two 55-gallon satellite accumulation containers of hazardous waste wood chips. One 55-gallon satellite drum of hazardous waste wood chips was approximately 50 percent filled. The second drum was approximately 20 percent filled (Photograph 9). I informed Mr. Stepaniak that the two satellite accumulation drums of wood chips combined could not exceed 55-gallons. The hazardous waste storage area did not have adequate aisle space.

Next, we toured the quality control laboratory where sample cords are checked for treatment and degrading.

BLP did not have any used fluorescent lamps or batteries on-site at time of inspection.

Closing Conference

In closing, a brief exit conference was held. I summarized where Mr. Stepaniak had taken me during the VSI and what information Mr. Stepaniak had presented to me. I summarized my concerns to Mr. Stepaniak who were in attendance at the closing conference. I thanked him for his corporation. I concluded my CEI at approximately 12:30 p.m.

Attachments

Inspection Checklist

Photographs 1 through 9



PHOTOGRAPH #1

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
SCENE BEING PHOTOGRAPHED:	Pole Cutting Area
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



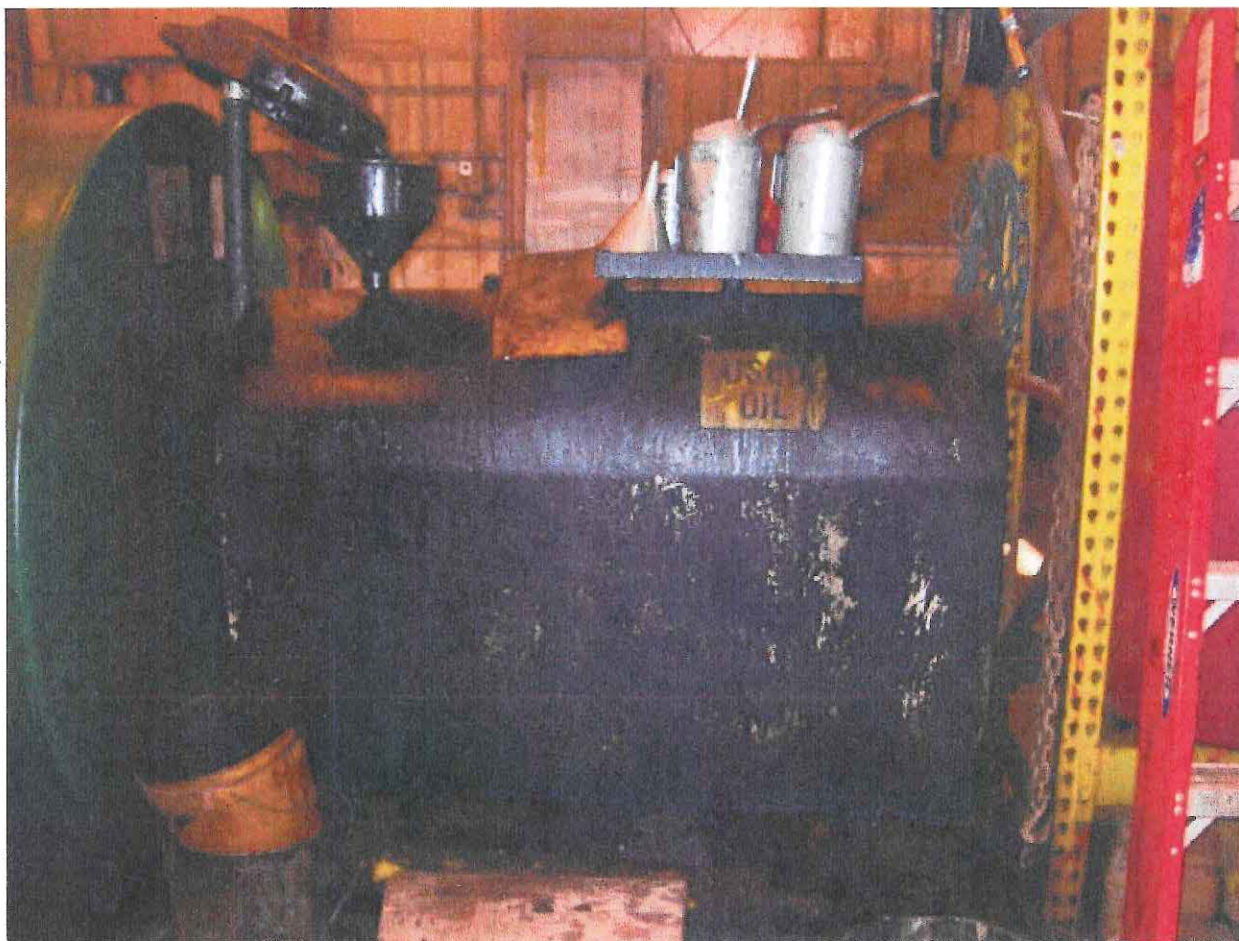
PHOTOGRAPH #2

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
SCENE BEING PHOTOGRAPHED:	Pole Cutting Area
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



PHOTOGRAPH #3

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
SCENE BEING PHOTOGRAPHED:	Pole Storage Area
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



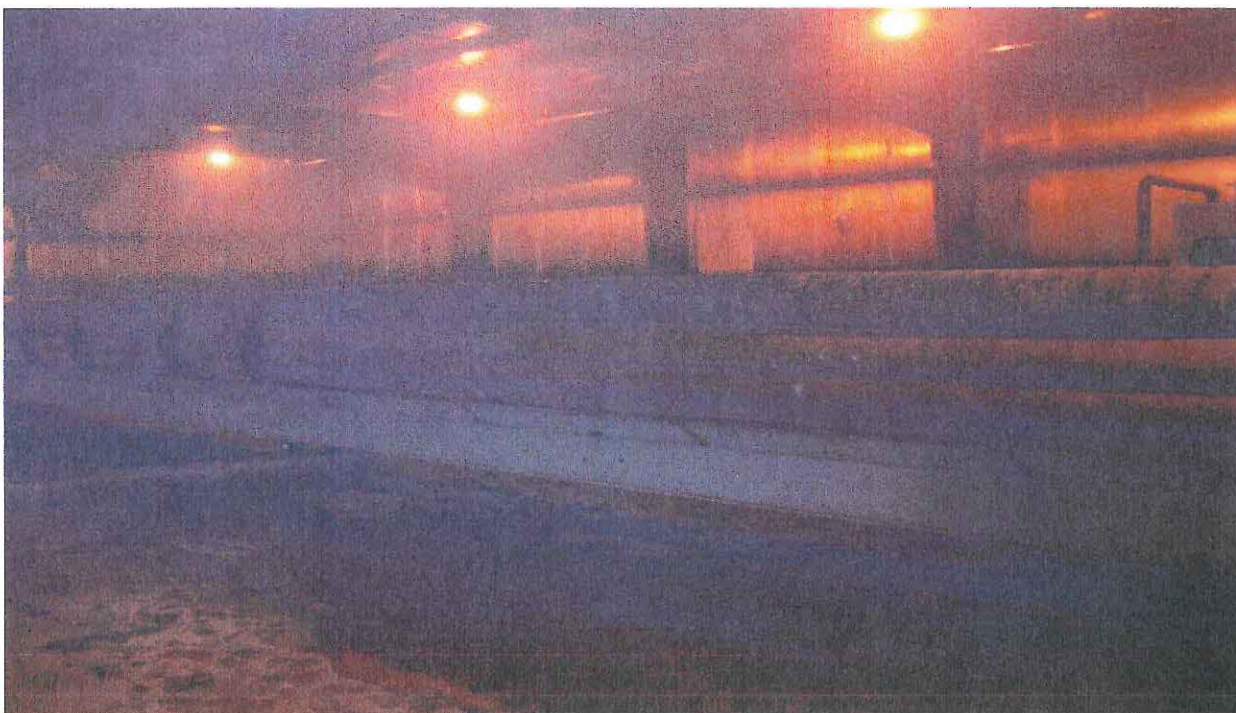
PHOTOGRAPH #4

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
LOCATION OF PHOTOGRAPH:	Maintenance Shop
SCENE BEING PHOTOGRAPHED:	200-gallon used oil tank
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



PHOTOGRAPH #5

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
LOCATION OF PHOTOGRAPH:	Maintenance Shop
SCENE BEING PHOTOGRAPHED:	55-gallon drum of used oil filters
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



PHOTOGRAPH #6

NAME OF PHOTOGRAPHER: Sheila Burrus
DATE OF PHOTOGRAPH: November 2, 2010
LOCATION OF PHOTOGRAPH: Pole Treating Building
SCENE BEING PHOTOGRAPHED: Pole Treatment
SITE LOCATION: 778 1st St. NW
New Brighton, MN 551

INSTALLATION NAME: Bell Lumber and Pole Company
INSTALLATION I.D. # MND 006 206 403



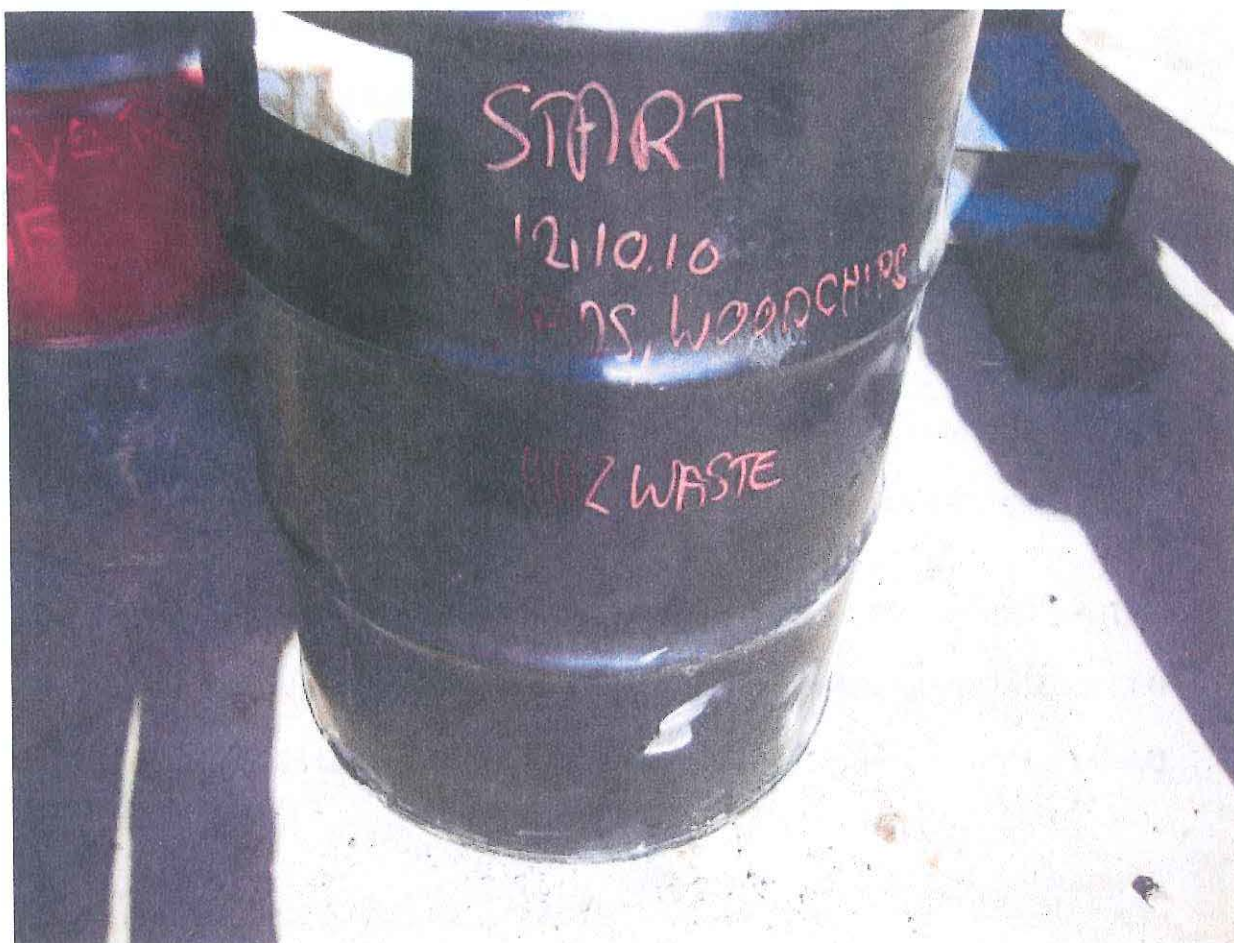
PHOTOGRAPH #7

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
LOCATION OF PHOTOGRAPH:	Hazardous Waste Storage Area
SCENE BEING PHOTOGRAPHED:	55-gallon drums of hazardous waste sludge
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



PHOTOGRAPH #8

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
LOCATION OF PHOTOGRAPH:	Hazardous Waste Storage Area
SCENE BEING PHOTOGRAPHED:	55-gallon drum of wood chips
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403



PHOTOGRAPH #9

NAME OF PHOTOGRAPHER:	Sheila Burrus
DATE OF PHOTOGRAPH:	November 2, 2010
LOCATION OF PHOTOGRAPH:	Hazardous Waste Storage Area
SCENE BEING PHOTOGRAPHED:	55-gallon satellite accumulation drum of hazardous waste wood chips
SITE LOCATION:	778 1 st St. NW New Brighton, MN 55112
INSTALLATION NAME:	Bell Lumber and Pole Company
INSTALLATION I.D. #	MND 006 206 403

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

77 W. JACKSON BOULEVARD
CHICAGO, IL 60604

COMPLIANCE EVALUATION INSPECTION REPORT

INSTALLATION NAME: Bell Lumber and Pole Company

U.S. EPA ID. No.: MND 006 206 403

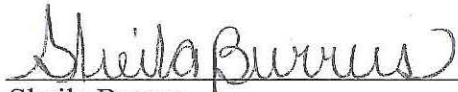
LOCATION ADDRESS: 778 1st Street Northwest
New Brighton, Minnesota 55112

NAICS CODES: 321114 – Poles, Wood, Treating

DATE OF INSPECTION: November 2, 2010

U.S. EPA INSPECTOR: Sheila Burrus, Environmental Protection Specialist

PREPARED BY:

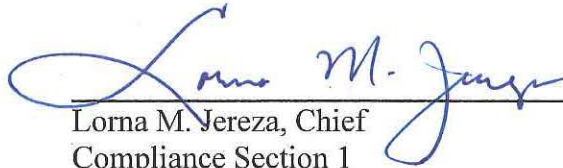


Sheila Burrus
Environmental Protection Specialist

12/9/10

Date:

REVIEWED BY:



Lorna M. Jereza, Chief
Compliance Section 1
RCRA Branch
Land and Chemicals Division

12/14/10

Date:

The used oil is generated from forklift truck maintenance.

The hazardous waste generated at BLP are all related to process residuals, preservatives drippage, and spent formulations from wood preserving processes.

Opening Conference

I arrived at BLP at 8:20 a.m. on November 2, 2010. Laura Piotrowski, Environmental Health Specialist II, Ramsey County was waiting in the parking lot. We entered the building and I introduced myself to the receptionist and presented my enforcement credentials and told her the purpose of our visit. At this time, the receptionist contacted Brian Stepaniak, Safety and Quality Control Coordinator who came to the receptionist area to assist us. I presented my enforcement credentials to Mr. Stepaniak and explained the purpose of our visit.

Mr. Stepaniak, Ms. Piotrowski and I convened in Mr. Stepaniak office where I explained to him that I would like to conduct a CEI that included a visual site inspection and records review. I then conducted the opening conference with Mr. Stepaniak. I explained to him what specific records, I would need to review.

I asked Mr. Stepaniak for a brief description of the type of work done at this installation and the types of wastes generated. Mr. Stepaniak began to provide background and waste stream information about BLP which is included above in the installation description/background section of this report. Ms. Piotrowski exited the meeting at approximately 9:15 a.m. due to training back at the office.

I continued the opening conference by asking Mr. Stepaniak who picks up BLP waste.

Mr. Stepaniak indicated that Brenntag Great Lakes, LLC, located in Menomonee Falls, Wisconsin picks up its hazardous waste. The waste and used oil is then transported to System Environmental Corporation located in Fredonia, Kansas. Green Lights Recycling located in Blaine, Minnesota picks up its fluorescent lamps. OSI Environmental, Inc. located in Rogers, Minnesota picks up used oil and used oil filters.

Records Review

I began the CEI by conducting the records reviews portion of the inspection. I was assisted by Mr. Stepaniak.

I informed Mr. Stepaniak that I wanted to review hazardous waste manifests, land disposal restriction forms, waste analysis data, hazardous waste training records, biennial reports, most current contingency plan and weekly inspection container logs for the hazardous waste storage area.

My observations are categorized below:

Personnel Training/Job Descriptions

BLP was unable to provide training records for its employees that handle and/or manage hazardous waste for the year 2009. Mr. Stepaniak did provide training records for the year 2008 and 2010. Mr. Stepaniak provided training records for the year 2009 via email on November 11, 2010. The training records for the years 2008 through 2010 appear to be in order without issue.

BLP job descriptions do not include a written description of hazardous waste duties for its employees that handle or manage hazardous waste. Mr. Stepaniak submitted revised copies of job descriptions for its employees that handle and/or manage hazardous waste on November 8, 2010 via email. The revised job descriptions still do not include a written description of hazardous waste duties for its employees. BLP revised job description submittal provides instruction on how hazardous waste must be managed.

Weekly Inspection Logs

BLP was documenting weekly inspections of the hazardous waste storage area only when hazardous waste containers were being stored in the storage area. I informed Mr. Stepaniak that weekly inspections must be conducted and documented even when containers are not being stored in the hazardous waste storage area. The purpose of the hazardous waste inspections is to inspect the containers, as well as, the storage area checking and/or looking for cracks in the floor, etc.

Contingency Plan

BLP was in the process of finalizing its contingency plan at the time of the inspection. I briefly scanned through the draft contingency plan but decided to wait until the final copy was submitted for review. I received a copy of the final contingency plan on November 16, 2010. BLP did have a Spill Prevention Control Countermeasure Plan (SPCC) on-site at the time of the inspection. I reviewed the contingency plan and it appears to be in complete order without issue.

Waste Analysis Records

BLP was unable to provide waste analysis records at time of inspection.

I reviewed hazardous waste manifests, land disposal restriction records and biennial reports for the years 2007 until present. All documentation reviewed appears to be in complete order without issue.

Visual Site Inspection (VSI)

I was accompanied by Mr. Stepaniak during the VSI portion of the inspection. The VSI began in the outdoor pole cutting and storage area (Photographs 1 through 3).

We proceeded to the maintenance shop where I observed one 200-gallon used oil tank and one 55-gallon drum of used oil filters (Photographs 4 and 5). Both drums were labeled and closed.

Next, we proceeded to the treating plant. The treating process uses a work tank with a treating solution of Pentachlorophenol, diesel and co-solvent. When it is time to treat a load of poles, the tram is loaded with poles that have been framed and readied according to the customer specification and then the tram is loaded into one of the two treating cylinders on site. Once the poles are loaded into the cylinder the door is closed using hydraulics and the cylinder is sealed shut. Then the work tank solution is pumped over to the cylinder, the cylinder is filled with the solution and the poles are hot washed with the oil solution and then pumped back to the work tank. Then a vacuum is applied to the poles to remove any excess oil (Photograph 6).

The treating solution tank is cleaned out approximately every 3 years by an outside contractor.

The filter press which is located within the wood treating plant has been out of service since 2006.

We proceeded to the hazardous waste storage area which is located in the wood treating building. I observed three 55-gallon drums of hazardous waste sludge and one 55-gallon drum of hazardous waste wood chips (Photographs 7 and 8). All containers were labeled and closed.

I also observed two 55-gallon satellite accumulation containers of hazardous waste wood chips. One 55-gallon satellite drum of hazardous waste wood chips was approximately 50 percent filled. The second drum was approximately 20 percent filled (Photograph 9). I informed Mr. Stepaniak that the two satellite accumulation drums of wood chips combined could not exceed 55-gallons. The hazardous waste storage area did not have adequate aisle space.

Next, we toured the quality control laboratory where sample cords are checked for treatment and degrading.

BLP did not have any used fluorescent lamps or batteries on-site at time of inspection.

Closing Conference

In closing, a brief exit conference was held. I summarized where Mr. Stepaniak had taken me during the VSI and what information Mr. Stepaniak had presented to me. I

summarized my concerns to Mr. Stepaniak who were in attendance at the closing conference. I thanked him for his cooperation. I concluded my CEI at approximately 12:30 p.m.

Attachments

Inspection Checklist
Photographs 1 through 9



Minnesota Large Quantity Generator Checklist

Environmental Audits/General #1.34, January 2000

The self audit checklists are designed to assist businesses by providing a low cost way of reviewing compliance with Minnesota's environmental laws and rules. Because the laws and rules are numerous and often complicated, this checklist cannot be a complete guide to your legal obligation. You may have obligations that are not covered on this checklist. If you have questions regarding this checklist, your obligations, or conditions you discover when you evaluate your business operations, please call the MPCA Hazardous Waste Hotline at (651) 297-8681.

I. GENERAL INSPECTION INFORMATION

Site Name: <u>Bell Lumbered Pole Company</u>	EPA ID Number: <u>MN15D06206-103</u>
Address: <u>778 1st St, N.W.</u>	Waste Activity:
City: <u>New Brighton</u>	Zip/9 Digit:
County: <u>Ramsey</u>	District:
	Waste generated per month
Current Number of Employees: <u>33</u>	Years in Business or Date Company Started: <u>1919</u>
Date of last MPCA Hazardous Waste Inspection:	
Inspection Date: <u>11/2/10</u>	Time: From <u>8:25am</u> to <u>12:30pm</u>

LEAD INSPECTOR:

Sheila Burreus, U.S. EPA

Phone #

312-886-3587

Other People present: (name, title, organization)	Phone #
<u>BRINK Stepaniak, Safety & Quality Control Coordinator</u>	<u>651-633-4234</u>

Company Products or Services:

II. LICENSING/IDENTIFICATION/PERMITS

IDENTIFICATION - WASTE TABLE

Waste Name/Code	Quantity Generated in (last year)	Changes

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194

(651) 296-6300, toll-free (800) 657-3864, TTY (651) 282-5332 or (800) 657-3864

This material can be made available in alternative formats for people with disabilities.

**G1: General Management for Generators**

Rule	Requirement	Compliance Status	Remarks
7045.0208 1, E	Does the company comply with the POTW requirements for sewered hazardous waste?		
7045.0655 3, A	If there is an elementary neutralization unit, a pretreatment unit and/or wastewater treatment unit, does the owner or operator conduct timely inspections of the unit(s) for malfunction deterioration, operator error and discharges.	N/A	
7045.0655 3, B	If there is an elementary neutralization unit, a pretreatment unit and/or wastewater treatment unit, does the company follow a written inspection schedule for inspection of all monitoring equipment, safety and emergency equipment, security devices and operating and structural equipment.		
7045.0655 3, E	If there is an elementary neutralization unit, a pretreatment unit and/or wastewater treatment unit, are all applicable inspection (and repair) records (logs) kept for at least 3 years and available on-site?		

G1: Manifests

Rule	Requirement	Compliance Status	Remarks
7045.0261	Are shipments of hazardous waste made without using a manifest? (exceptions for VSQGs)	No	
7045.0261 7	Do manifests contain ALL of the following?: Manifest document number, generator data, transporter data, facility data, waste data, required signatures & dates, and a 24 hour emergency number. (document problem manifests in remarks and Description of Violation)	Yes	
7045.0294 1	Are signed facility copies of manifests available for review for 3 years from the date material was accepted by the initial transporter?	Yes	
7045.0265 1, D	Are two-signature (generator) copies of manifests set to MPCA within 5 days of shipment date?	Yes	
7045.0265 4, A	Does the generator ensure that out-of-state facility copies get to MPCA within 40 days of acceptance by the facility?	Yes	



G1: Personnel Training			
Rule	Requirement	Compliance Status	Remarks
7045.0558 7	Have training records been maintained for lifetime of facility (or 3 years after an employee leaves)?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
G1: Contingency Plan			
Rule	Requirement	Compliance Status	Remarks
7045.0572 2	Does the company have a contingency plan?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generators]
7045.0574 1	Does the company have an Emergency Coordinator on-site or on-call, and does s/he have authority to act (commit resources)?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator] Contingency plan was being finalized at time of inspection
7045.0572 4, A	Does the contingency plan specify employees' emergency response actions?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 4, C	Does the plan describe arrangements agreed to with local emergency responders.	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 4, D	Does the plan include up-to-date name, address and home and work phone numbers for emergency coordinators?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 4, E	Does the contingency plan include an up-to-date emergency equipment list?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 4, F	Is there an evacuation plan for employees that includes signals used to begin evacuation, and primary and alternate evacuation routes?		Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 5, A	Is a copy of the contingency plan maintained on-site?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 5, B	Have copies of the contingency plan been submitted to local authorities and emergency response teams?	Yes	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator]
7045.0572 6	Has the contingency plan been amended when necessary? (rule change, emergency equipment change, process change, emergency coordination change, plan failed)	N/A	Referenced by: 7045.0292, Subp.1, G [Large Quantity Generator] Contingency plan finalized in 11/10

**G1: Land Disposal Restrictions**

Rule	Requirement	Compliance Status	Remarks
268.7 (a), (2)	For waste or contaminated soil that does not meet treatment standards, has the company sent a one-time land disposal restriction notification to the receiving treatment or storage facility? Is a copy of the notification available at the generators site? Have new notifications been sent when there are changes in wastestreams and to any new receiving facilities?	Yes	
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(2), item 1 3	For waste or contaminated soil that does not meet the treatment standards, do land disposal restriction notifications contain the following: a. All applicable waste codes and Manifest numbers?	Yes	Referenced by: 40 CFR 268.7,(a),(2) [LAND DISPOSAL RESTRICTIONS]
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(2), item 4 1	b. Treatability group (non-wastewater or wastewater) and subcategory (when applicable)		Referenced by: 40 CFR 268.7,(a),(2) [LAND DISPOSAL RESTRICTIONS]
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(2), item 3	c. Constituents of concern for F001-F005, F039, and hazardous underlying constituents in characteristic waste (not managed in a CWA or CWA-equivalent facility)? Note: This requirement does not apply if the waste will be treated and monitored for ALL constituents.	N/A	Referenced by: 40 CFR 268.7,(a),(2) [LAND DISPOSAL RESTRICTIONS]
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(2), item 7	d. For hazardous debris being treated with alternative treatment standards: the names of the contaminants subject to treatment, and an indication that these contaminants are being treated to comply with 268.45	N/A	Referenced by: 40 CFR 268.7,(a),(2) [LAND DISPOSAL RESTRICTIONS]

**G1: Land Disposal Restrictions**

Rule	Requirement	Compliance Status	Remarks
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(4), item 2 1	c. The date the waste was subject to the prohibitions?		Referenced by: 40 CFR 268.7,(a),(4) [LAND DISPOSAL RESTRICTIONS]
268.7 (a), (4) "Generator Paperwork Requirement Table" column 268.7,(a),(4), item 7	d. For debris being treated with alternative treatment standards, the contaminants subject to treatment, and an indication that these contaminants are being treated to comply with 268.45?		Referenced by: 40 CFR 268.7,(a),(4) [LAND DISPOSAL RESTRICTIONS]
7045.1305 A	Is dilution used as a substitute for adequate treatment?		
7045.1380 2	Does the company have justification for storage beyond one year?	N/A	
268.7 (a), (8)	Does the company retain, on site, copies of initial notifications, certifications, and other relevant documents for a period of 3 years?		
7045.1315 1, D	For companies that treat prohibited waste in tanks or containers to meet treatment standards, is a copy of the waste analysis plan for this treatment on-site, and available to inspectors?		
7045.1315 1, D, 1	For companies that treat prohibited waste in tanks or containers, is the waste analysis plan based on detailed chemical and physical analysis?		
7045.1315 1, B,1,a	For waste treated in tanks or containers and then shipped off-site, do notifications and certifications contain: a. All applicable EPA waste codes?		Referenced by: 7045.1315,1,D,3 [Facility requirements.]
7045.1315 1, B,1,b	b. Treatability group (non-wastewater or wastewater) and subcategory (when applicable)		Referenced by: 7045.1315,1,D,3 [Facility requirements.]
7045.1315 1, B,1,c	c. Manifest number?		Referenced by: 7045.1315,1,D,3 [Facility requirements.]

**G1: Storage Requirements**

Rule	Requirement	Compliance Status	Remarks
7045.0292 1, A	Has the generator stored hazardous waste for more than 90 days beyond the waste accumulation start date?	NO	
7045.0292 1, C	Are hazardous waste containers and tanks labeled with the waste accumulation start date and is it visible for inspection? OR is the accumulation start date recorded in a clear and legible log for non-shipping containers or tanks?	Yes	
7045.0292 1, F	Are hazardous waste containers and tanks properly labeled with the words "Hazardous Waste" and a description that clearly identifies their contents to employees and emergency personnel?	Yes	
7045.0292 1, D	Are hazardous waste storage areas (outdoors) protected from unauthorized access and inadvertent damage from vehicles and equipment?	N/A	
7045.0292 1, E	Are hazardous waste containers that hold free liquid placed on an impermeable containment surface? If outdoors, is the surface curbed?	Yes	
7045.0626 2, A	Are hazardous waste storage containers in good condition and leakproof?	Yes	Referenced by: 7045.0292, Subp.1,B [Large Quantity Generator]
7045.0626 2, B	Are there suitable leakproof covers for the hazardous waste containers?	Yes	Referenced by: 7045.0292, Subp.1,B [Large Quantity Generator]
		Yes	
7045.0626 4	Are hazardous waste storage containers closed? Are waste containers which can be degraded when exposed to moisture or sunlight covered by an overhead roof or other suitable covering that does not hide the labels?	Yes	Referenced by: 7045.0292, Subp.1,B [Large Quantity Generator]
7045.0626 3	Are hazardous waste storage containers compatible with the waste stored in them?	Yes	Referenced by: 7045.0292, Subp.1,B [Large Quantity Generator]
7045.0626 6	Are incompatible wastes adequately separated?	Yes	Referenced by: 7045.0292, Subp.1,B [Large Quantity Generator]
7045.0685 2, A	Are spent lead-acid batteries that are stored indoors on an impermeable curbed surface AND are provisions made to recontainerize leaking batteries, AND are there regular inspections to assure the integrity of the batteries?	N/A	No batteries on-site at time of inspection



Land and Chemicals Division

Type of Document: ☐ Notice of Violation and Inspection Report/Checklist
☐ No Violation Letter and Inspection Report/Checklist
☐ Letter of Acknowledgment
☒ Information Request
☐ Pre-Filing and Opportunity to Confer
☐ State Notification of Enforcement Action
☐ Return to Compliance
☐ Other Correspondence- NOD, memo to ORC

Facility Name: Bell Lumber and Pole Company

City: New Brighton

State: MN

U.S. EPA ID#: MND 006 206 403

Assigned Staff: Sheila Burrus

Phone: 6-3587

Name	Signature	Date
Author	<i>Sheila Burrus</i>	<i>9/14/11</i>
Regional Counsel	<i>see correspondence sheet</i>	
Section Chief	<i>Lana M. Jorgensen</i>	<i>9/14/11</i>
Branch Chief	<i>_____</i>	<i>_____</i>

*MG
RFL
9/14*

Directions/Request for Clerical Support:

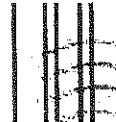
After the Section Chief/Branch Chief signs this sheet and original letter:

1. Date stamp the cover letter;
2. Make one copy of the contents of this folder for the official file; Note: original inspection report goes into file room.
3. Scan the letter and save the file in the appropriate share drive folder.
4. Mail the original certified mail.
5. Distribute office copies and cc's and bcc's by email.

Once the certified mail receipt is returned:

6. File the certified mail receipt (green card), with this sign-off sheet and the official file copy, and take to 7th floor RCRA file room.
7. E-mail staff the date that the letter was received by facility.

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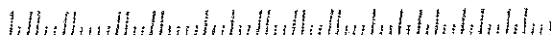
U.S. EPA

77 W Jackson Blvd

Chicago, IL 60604

ATTN: Sheila Burrus LR-8J **LAND AND CHEMICALS DIVISION**
U.S. EPA - REGION 5

05



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brian Stepaniak
Safety and Quality Control Coordinator
Bell Lumber and Pole Company
New Brighton, MN 55112

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

ELEANOR HANSON

B. Date of Delivery

9/21/11

C. Signature

Eleanor Hanson

☐ Agent☒ Address

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

Service Type

☐ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

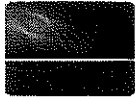
☐ Yes2. Article
(Transit)

7009 1680 0000 7644 8239

PS Form 3811, March 2001

Domestic Return Receipt

102595-01-M-



Fw: Bell Lumber
Sheila Burrus to: Lorna Jereza

09/14/2011 04:54 PM

----- Forwarded by Sheila Burrus/R5/USEPA/US on 09/14/2011 04:53 PM -----

From: Maria Gonzalez/R5/USEPA/US
To: Sheila Burrus/R5/USEPA/US@EPA
Cc: Maria Gonzalez/R5/USEPA/US@EPA
Date: 09/09/2011 06:18 PM
Subject: Re: Bell Lumber

Sheila, I had to take it out of track changes to adjust the numbering. I wanted to make clear that they had to respond to the drip pad information questions for each drip pad, so I placed all the drip pad questions under no. 3, and reworded some of the requests for documents to require a response for all drip pads. (In case they have others.)



BellLumber.3007.090911.doc

Maria Gonzalez
Associate Regional Counsel
Mail Code C-14J
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604
(312) 886-6630



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 19 2011

REPLY TO THE ATTENTION OF:

LR-8J

CERTIFIED MAIL #7009 1680 0000 7644 8239

RETURN RECEIPT REQUESTED

Mr. Brian Stepaniak
Safety and Quality Control Coordinator
Bell Lumber and Pole Company
778 1st Street NW
New Brighton, Minnesota 55112

Re: Request for Information
EPA ID Number: MND 006 206 403

Dear Mr. Stepaniak:

On November 2, 2010 a representative of the U.S. Environmental Protection Agency, conducted an inspection of the Bell Lumber and Pole Company ("BLP" or "you") in New Brighton, Minnesota. The purpose of the inspection was to evaluate compliance with the Resource Conservation and Recovery Act (RCRA).

As a follow-up to the November 2, 2010 inspection of BLP, EPA, by this letter requests information under Section 3007 of RCRA, as amended, 42 U.S.C. § 6927. Section 3007 authorizes the Administrator or EPA to require you to submit certain information.

This request requires BLP to submit certain information relating to its operations located at 778 1st Street, New Brighton, Minnesota 55112. EPA is requiring this information to determine BLP's compliance status under Sections 3002 through 3006 of RCRA, 42 U.S.C. §§ 3002 through 3006, and the regulations at 40 C.F.R. parts 260-279 and Minn. R. Chapter 7045 (1994). Attachment 1 specifies the information you must submit. You must submit this information within thirty (30) calendar days of receiving this request to the EPA, Attention: Sheila Burrus, Land and Chemicals Division, RCRA Compliance Section 1, 77 West Jackson Boulevard, Mail Code LR-8J, Chicago, Illinois 60604.

This information must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may, under 40 C.F.R. Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 C.F.R. § 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures at 40 C.F.R. Part 2, Subpart B. You must make any

request for confidentiality when you submit the information since any information not so identified may be made available to the public without further notice.

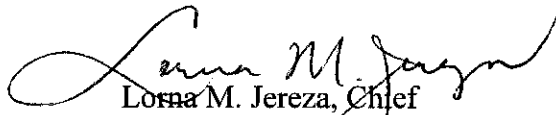
BLP must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action, investigation or audit.

Failure to comply fully with this request for information may subject BLP to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928. Please note that responses which are incomplete, ambiguous, or evasive will be treated as non-compliance with this information request.

You should direct questions about this request for information to Sheila Burrus, of my staff, at (312) 886-3587.

Sincerely,


Lorna M. Jereza, Chief
Compliance Section 1
RCRA Branch

Attachment

cc: jeff.connell@state.mn.us

ATTACHMENT 1

Instructions: You must respond separately to each of the questions or requests in this attachment. Each of the following requests relate to or refer to Bell Lumber and Pole Company (BLP) located at 778 1st Street, New Brighton, Minnesota 55112. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds. Where documents are only retained in electronic form, please provide copies of these documents as well.

Requests

1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified, as well as the business address and telephone number for each such person, and the number of years that each identified individual has worked for or at BLP.
2. Provide the following information about each drip pad at the facility:
 - a. date(s) it was constructed and began operation;
 - b. whether it has a liner;
 - c. whether it has a leak detection system;
 - d. whether it has a leak collection system;
 - e. for each affirmative response to 2(b)-(d), describe the type and components of the liner or system.
3. For each drip pad at the facility, respond to the following requests:
 - a. Is the drip pad protected by a structure or cover? If so, does that structure or cover provide protection from precipitation so that neither run on or run-off is generated?
 - b. Describe the drip pad and the materials each component of the drip pad is constructed of.
 - c. Please state whether the surface is sloped to free-drain treated wood drippage, rain, and other water or waste, to the associated collection system.
 - d. Please state whether the drip pad has a curb or berm, and if so, whether that curb or berm is around the perimeter of the drip pad.
 - e. Does it meet the requirements of 40 C.F.R. §§ 264.573(a)(4)(i) and 265.443(a)(4)(i)?

- f. Is it of sufficient structural strength and thickness to prevent failure due to physical contact, climatic conditions, the stress of installation and the stress of daily operations, as set forth at 40 C.F.R. §§ 264.573(a)(5) and 265.443(a)(5)?
- g. If it has a liner, does the liner meet the requirements of 40 C.F.R. §§ 264.573(b)(1) and 265.443(b)(1)?
- h. If it has a leakage detection system, does that system meet the requirements of 40 C.F.R. §§ 264.573(b)(2) and 265.443(b)(2)?
- i. If it has a leakage collection system, does that system meet the requirements of 40 C.F.R. §§ 264.573(b)(3) and 265.443(b)(3)?
- j. Is the drip pad maintained such that it remains free of cracks, gaps, corrosion, or other deterioration that could cause hazardous waste to be released from the drip pad?
- k. Is the drip pad and any associated collection system designed and operated to convey, drain and collect liquid resulting from drippage or precipitation in order to prevent run-off.
- l. Please state whether the drip pad has a run-on control system capable of preventing flow onto the drip pad during peak discharge from at least a 24-hour 25 year storm. If so,
 - i. fully describe the system; and
 - ii. state how the flow prevention capability of the system was determined, and provide all documentation that support that determination.
 - iii. Describe how it is designed, constructed, operated and maintained to prevent flow onto the drip pad during peak discharge from at least a 24-hour 25 year storm.
- m. Does the run-on control system have sufficient excess capacity to contain any run-on that might enter the system? If so,
 - i. Indicate the capacity
 - ii. Describe how it is achieved and maintained.
- n. State whether the drip pad has a run-on management system designed, constructed, operated and maintained to collect and control at least the water volume resulting from a 24-hour 25-year storm. If so,
 - i. fully describe the system;
 - ii. state how the volume capacity of the system was determined,
 - iii. and provide all documentation that support that determination.

- iv. Describe how it is designed, constructed, operated and maintained to collect and control at least the water volume resulting from a 24-hour 25-year storm.
 - o. State whether all treated wood is held on the drip pad following treatment until drippage has ceased. If your response is affirmative, provide a copy of each record that documents or support that statement.
 - p. Is drippage and accumulated precipitation removed from the associated collection system as necessary to prevent overflow onto the drip pad? If so, provide a copy of each record that documents or supports this.
 - q. Is the drip pad cleaned thoroughly in a manner and frequency such that accumulated residues of hazardous waste or other materials are removed, with residues being properly managed as hazardous waste, so as to allow weekly inspections of the entire drip pad surface without interference or hindrance from accumulated residues of hazardous waste or other materials on the drip pad? If so, provide a copy of each record that documents or supports this.
 - r. Is the drip pad operated and maintained in a manner to minimize tracking of hazardous waste or hazardous waste constituents off the drip pad as a result of activities by personnel or equipment? If so, provide a copy of each record that documents or supports this.
- 4. Provide a copy of the facility's operating log.
 - 5. Provide a copy of the facility's operating record, including, but not limited to, any records of inspections and certifications thereof.
 - 6. Provide a copy of each record of each detected condition that caused or constituted a release of hazardous waste from a drip pad, during the three year period immediately preceding the date of your receipt of this information.
 - 7. Provide a copy of each document that contains the procedures the facility uses to ensure that all wastes are removed from a drip pad at least once every 90 days.
 - 8. Provide a copy of each record that documents each waste removal from your waste collection system during the last three year period immediately preceding the date of your receipt of this information.
 - 9. Provide copies of any written assessment for each drip pad, including any certification by an independent, qualified registered professional engineer; and indicate the date of such written assessment.

10. Provide a copy of any written plan for upgrading, repairing and modifying a drip pad, including any certification by an independent, qualified registered professional engineer; and indicate the date of such written plan.
11. Provide a copy of as built drawings for each drip pad, including any certification by an independent, qualified registered professional engineer; and indicate the date of such drawing.
12. Provide a copy of any evaluations for each drip pad, including any certification by an independent, qualified registered professional engineer; and indicate the date of such evaluation.
13. Provide a true and accurate copy of each record that documents your drip pad cleaning procedures during the last three year period immediately preceding the date of your receipt of this information.
 - a. describe the cleaning procedures; and
 - b. provide the date and time of each cleaning for each drip pad.
14. State whether or not the facility also has an outdoor drip pad associated with your wood treatment process.
15. Provide a copy of each record that documents all of your clean up activities in response to any infrequent incidental drippage in your storage yard, during the three year period immediately preceding the date of your receipt of this information request.
16. Provide a copy of the facility's incidental contingency plan.
17. Provide a copy of each record that documents past operating and waste handling practices at your facility during the 3-year period immediately preceding your receipt of this information request, that includes:
 - a. preservative formulation used;
 - b. description of drippage management practices; and
 - c. description of treated wood storage and handling practices.
18. If no records requested by #17 above exist, provide in writing the information requested in #17.
19. Provide a copy of each Contingency Plan for the facility in existence during the 3-year period immediately preceding the date of your receipt of this information request.

20. Provide a copy of any closure plan or post-closure plan for the facility.
21. State under which of the forms of business organization BLP was organized during 5-year period preceding the date of receipt of this information request.
22. Provide the following certification by a responsible corporate officer:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in response to this information request. Based on my review of all relevant documents and my inquiry of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature

Title

Date

bcc: Maria Gonzalez, C-14J